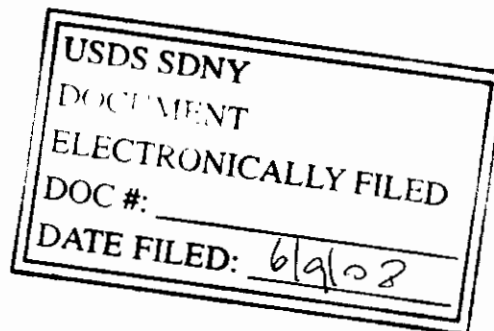


**MEMO ENDORSED**

U.S. Department of Justice

United States Attorney
Southern District of New YorkThe Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 9, 2008

BY FAXHonorable Richard J. Sullivan
United States District Court
Southern District of New York
500 Pearl Street, Room 615
New York, New York 10007Re: United States v. Nickhoulas Vitale, et al.,
07 Cr. 280 (RJS)

Dear Judge Sullivan:

The Government respectfully submits this letter following the May 8, 2008, Fatico hearing with respect to the sentencing of Nickhoulas Vitale. In its letter of June 4, 2008, the Government indicated that it would not be submitting additional briefing in connection with the sentencing. I have just reviewed, however, the defendant's sentencing submission. Several of the points the defendant raises, including his statute of limitations argument, were not ones (based on my discussions with Mr. Romano) that I had anticipated the defendant raising. Accordingly, the Government respectfully requests an additional week in which to file its response to the defendant's sentencing submission.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

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Assistant United States Attorney
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cc: Vincent Romano, Esq. (by fax)

The Govt shall file
its submission by June 16,
2008.

SO ORDERED
Dated:
RICHARD J. SULLIVAN
U.S.D.J.